

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants :

Paul A. Nysen

Serial No.

: 10/684,602

Filed

October 14, 2003

For

FREQUENCY HOPPING SPREAD SPECTRUM PASSIVE

ACOUSTIC WAVE IDENTIFICATION DEVICE

Customer No. :

10037

January 30, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## INFORMATION\_DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.98 Content of information disclosure statement, applicants wish to call the attention of the Examiner to the following statement:

(3) (d) "A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120."

These references have been cited and described in the "Background of the Invention" portion of the application.

Consideration of the foregoing is respectfully requested during the initial examination of this application.

Respectfully submitted,

MILDE & HOFFBERG, LLP

Ву

Steven M. Hoffberg Reg. No. 33,511

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